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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

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7 SEAN FOSTER,

8 Plaintiff,

9 v.

10 STATE OF NEVADA, *et al.*,

11 Defendants.

Case No. 2:23-cv-01134-RFB-BNW

ORDER

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13 Before the Court for consideration is the Report and Recommendation (ECF No. 2) of the
14 Honorable Brenda Weksler, United States Magistrate Judge, entered October 18, 2023.

15 A district court “may accept, reject, or modify, in whole or in part, the findings or
16 recommendations made by the magistrate.” 28 U.S.C. § 636(b)(1). A party may file specific
17 written objections to the findings and recommendations of a magistrate judge. 28 U.S.C. §
18 636(b)(1); Local Rule IB 3-2(a). When written objections have been filed, the district court is
19 required to “make a de novo determination of those portions of the report or specified proposed
20 findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1); see also Local
21 Rule IB 3-2(b). Where a party fails to object, however, a district court is not required to conduct
22 “any review,” de novo or otherwise, of the report and recommendations of a magistrate judge.
23 Thomas v. Arn, 474 U.S. 140, 149 (1985). Pursuant to Local Rule IB 3-2(a), objections were due
24 by November 1, 2023. No objections have been filed. The Court has reviewed the record in this
25 case and concurs with the Magistrate Judge’s recommendations.

26 The Court further finds from the record that the mailed copy of the Report and
27 Recommendation was returned as undeliverable as Mr. Foster was discharged on or before October
28 19, 2023. ECF No. 5. Therefore, the Court would be disposed to consider a Motion for

1 Reconsideration timely filed under Federal Rule of Civil Procedure 59(e).

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3 **IT IS THEREFORE ORDERED** that Plaintiff's case be dismissed without prejudice.

4 The Clerk of Court is instructed to close this case.

5 The Clerk of Court is instructed to serve a copy of this Order upon the Plaintiff at his last
6 known address.

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8 **DATED:** January 9, 2024.

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11 **RICHARD F. BOULWARE, II**
12 **UNITED STATES DISTRICT JUDGE**
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